

**ZONING COMMISSION  
PUBLIC HEARINGS  
April 20, 2016**

Bill Stopper opened the Public Hearing with the following in attendance:

**MEMBERS:**

William Stopper, Chair  
April Slauson, Secretary  
Richard Cool  
Neil Mascola - left 8:02 p.m.  
Wendyann Fowler  
Matthew DeBarber, Alternate - absent

**OTHERS:**

Sue Goggin, Town Planner, ZEO, WEO  
Lori Rotella, Assistant ZEO  
Jim Stewart – Director of Public Works  
Attorney Fitzpatrick - Borough Attorney  
Kathleen Donovan - Burgess Liaison  
Public - 8

**6:15 P.M. - PUBLIC HEARING:** for special permit for 30,000 square foot medical building & mixed commercial use and 5,000 square foot restaurant/mixed use building at 58 Maple Street (Parcel C), Applicant: Heritage Downtown, LLC. **Public hearing opens 3/16/16, must close by 4/20/16 unless extension granted.**

Attorney Kevin McSherry, 38 Fairview Avenue, Naugatuck for Heritage Downtown, LLC. The applicant received a positive referral with conditions from the Planning Commission, an administrative approval from the Wetlands Commission, an approval from WPCA with conditions, and approvals from the Fire and Police Commissions. Darin Overton, licensed professional engineer, Milone & MacBroom with an office at 99 Realty Drive, Cheshire went over the revisions made to the plans. The Police Commission recommended the following revisions which are shown on the plans dated March 29, 2016: The property driveway located across from Old Firehouse Road was relocated to align with Old Firehouse Road and the handicap ramps were reconstructed. The driveway on Water Street was shifted approximately 50 feet south away from the post office exit. They added 2 loading spaces, one next to the medical facility and one next to the restaurant. They also incorporated Engineering's suggestions to reconfigure the islands. More handicap parking was added near the medical building; originally they just had the amount required by the ADA. They agreed to have the sidewalks match the sidewalks downtown, add new curbs and improve the radius as recommended. There will also be street trees along Maple Street. William Stopper read Susan Goggin's review dated April 13, 2016 into the record. Darin stated they have not responded in writing to her review. Attorney McSherry noted since they do not have all of the tenants lined up yet so they were not able to address all of the signage requirements yet. They will comply with the sign regulations once they have the tenants. Susan showed the commission the sample materials board she received on Monday, April 18 that was put together by Craig Laliberte. The applicant stated they could not get actual samples. William Stopper also read the WPCA approval dated April 20, 2016 and the Police Commission approval dated March 15, 2016 into the record. Attorney McSherry gave the commission part of the traffic report dated February 12, 2016 which discussed the signalization in detail. William Stopper marked this as Exhibit 1. It was noted that the applicant received Fire Commission approval on April 14, 2016. William also read the Planning Commission report from March 7, 2016 into the record. That meeting was continued until April 4,

2016. The commission questioned if the applicant had alternate routes to get into and out of town once work begins on the Whittemore Bridge. There was a discussion regarding DEEP approvals for the fenced in area of Parcel C. Attorney Fitzpatrick explained the Borough is the applicant and will be getting the approvals for that area. Heritage Downtown can start work on the front of the parcel while the Borough gets approvals for the fenced in area. William Stopper read into the record the applicant's waiver request for the building setbacks, height of the building and size of the parking spaces. William also read into the record section 33.3.8 regarding the Zoning Commission's role as the Architectural and Landscaping Review Board. There was a discussion if the proposed building on Parcel C will harmonize with the other town buildings that are historical in nature. William made the picture of buildings of the downtown area, historic in nature, dated April 4, 2016, part of the record. Attorney McSherry explained that the architect, Craig A. Laliberte, put a lot of thought into the buildings. The renderings dated October 9, 2015 were brought before the Naugatuck Economic Development Corporation and the Board of Mayor and Burgesses. Neither group made any changes to the plans. He also emphasized how proud his clients are of the buildings. Attorney Fitzpatrick explained that the other commissions felt that the Zoning Commission would be reviewing the architecturals. That is the only board that has the jurisdiction over the design of the building and the materials used in any new construction project. William Stopper read into the record his comments he made regarding the renderings. These comments were submitted to the architect via an email. 1. He would prefer to see brick instead of EIFS on the first two floors of the building, only on the sides facing Water St. and Maple St. This would fit in with the downtown historic area. 2. The color of the EIFS should be a shade of granite or gray, similar to the color of the library instead of sundance (yellow). 3. Have the restaurant match with brick on the front and gray EIFS on the tower. 4. Would like the roof a darker gray instead of the powder blue shown on the materials board. 5. Would like the windows, in the medical building, to have a more historic, colonial look with smaller window panes. April Slauson thanked Heritage Downtown for all of their efforts and likes the look of the project as is. She feels it is a beautiful project. Rick Cool likes the brick and would also like to see them remove the yellow color on the building to keep with the design of the downtown. He is also open for suggestions. John Lombard expressed his opinion that Naugatuck is looking for a change and this is not Church Street. He wants to be able to collect higher rents. He feels a darker color will bring a darker mood. He wants to see a new fresh appearance. He also explained they haven't changed much because they believe in the design and look of the building. He is against any major changes but may be willing to make some minor changes. The only real cost impact would be the brick. There was a question if the applicant was considering using stone similar to the one shown on their materials board. They are not considering using stone. John stated he will need to go back and see what kind of impact any of the changes would make to the cost of construction. Rob Oris, principal for Heritage Downtown, LLC said he wanted to build something with a pop. He stated that Heritage Downtown was selected through the RFP process. He also explained that no other commission had any comments. He commented on the zoning commission's changes regarding new sidewalks, granite curbs and the curb change to the radius are very costly. He believes the demographics of Naugatuck won't allow for higher rents in this building to cover the costs of the changes being requested. They are at their tipping point. He is not in favor of brick on the first and second floor but stated he would consider it if the town takes away the stipulation that they put in new sidewalks and granite curbing. He feels a darker building is less attractive. He is also concerned with getting the rents if the building is too drab looking. He commented on the window change. The medical tenants, for that

building, want something that allows in a lot of light and would be appealing for their patients. Attorney McSherry submitted a letter requesting a 35 day extension for the public hearing. William Stopper read the letter into the record. Jim Stewart and Darin Overton had a discussion regarding the handicap ramps and if the applicant will be able to comply with the grading. Darin will also contact the water company to get the capacity for the next meeting. William Stopper asked if there were any public comments. Rocky Vitale, 180 E. Waterbury Road, noted he is a taxpayer and believes the town needs to increase the tax base. He also stated the Board of Mayor and Burgesses took careful consideration when they decided on this developer which he also noted was a stellar developer. He believes they should rely on the builder doing the project. He believes the process and number of meetings is ludicrous and the town should streamline the process, support builders and make it easier for the them. Ron Pugliese, President of NEDC stated he was very disappointed tonight due to another delay. He doesn't want to lose this project or another building season. This piece of property has sat vacant for over 30 years. He thought they would have had their approval tonight. It is much needed economic project.

**VOTED:** Unanimously on a motion by Rich Cool and seconded by Wendyann Fowler to extend the public hearing for Heritage Downtown, LLC for extension of 28 days to May 18, 2016 at 7:00 p.m.

Public Hearing continued until the May 18, 2016 meeting at 7:00 P.M.

**6:30 P.M. – CONTINUED PUBLIC HEARING:** for special proposed text amendments to allow for the creation of the Prospect Street Design District and a zone change to the current map for properties along Prospect Street, Applicant: Borough of Naugatuck. **No time restrictions because it is a Borough initiated zone change.**

William Stopper recalled from the last month's meeting that the commission had 3 options to consider. Susan Goggin gave William a copy of the revised map for the PSDD dated April 15, 2016. Sue explained that only certain areas seemed to be appropriate to change to a B-2 zone rather than change the entire street to the PSDD according to the document that was drafted last year. Sue went on to explain that the properties chosen were parcels that were topographically appropriate to develop. William stated the commission's option: 1) change entire road to the PDSS, 2) change just some of the properties or 3) change the properties noted on the map dated April 15, 2016 to a B-2 zone. April Slauson is in favor of option 3. She does not like the 5 page document for the PSDD, she feels it is too restrictive. Wendyann Fowler and Rick Cool agree with April. Attorney Fitzpatrick explained what the commission can do at this point; agree, disagree or modify the original plan. He also suggested that staff re-notice the public with the modification to the map since the changes are significant and keep the public hearing open to allow for any public comments. Paul Bunevich, PE representing one of the property owners on the Prospect St. corridor stated his client is in favor of the zone change to B-2. He has a tough site for housing but he has some people interested in the parcel for commercial development. There was no other public comments.

Public Hearing continued until the May 18, 2016 meeting at 7:15 P.M.

**NAUGATUCK ZONING COMMISSION  
REGULAR MEETING  
April 20, 2016**

William Stopper opened the meeting with the following in attendance:

**MEMBERS:**

William Stopper, Chair  
April Slauson, Secretary  
Richard Cool  
Neil Mascola – left 8:02 p.m.  
Wendyann Fowler  
Matthew DeBarber, Alternate - absent

**OTHERS:**

Sue Goggin, Town Planner, ZEO, WEO  
Lori Rotella, Assistant ZEO  
Jim Stewart – Director of Public Works  
Attorney Fitzpatrick - Borough Attorney  
Kathleen Donovan - Burgess Liaison  
Public - 8

1. At 6:00 P.M., William Stopper opened the meeting with the Pledge of Allegiance, took attendance and noted there was a quorum.
2. Executive session with the Borough Attorney.  
There was no executive session.
3. Approval of the March 16, 2016 Public Hearing and Meeting Minutes. The secretary will sign previously approved minutes as written.

**VOTED:** Unanimously on a motion by April Slauson and seconded by Wendyann Fowler to **APPROVE** the March 16, 2016 Public Hearing and Meeting Minutes.

**4. OLD BUSINESS:**

- A. Commission discussion/decision regarding special permit for proposed 30,000 square foot medical building and mixed commercial use and 5,000 square foot restaurant/mixed use building at 58 Maple Street (Parcel C), Applicant: Heritage Downtown, LLC.

There was no discussion.

- B. Commission discussion/decision for proposed text amendments to allow for the creation of Prospect Street Design District and a zone change to the current zoning map for properties along Prospect Street, Applicant: Borough of Naugatuck.

There was no discussion.

**5. NEW BUSINESS**

- A. Accept application, refer to planning commission, set public hearing for special permit application for proposed church at 195 Rubber Avenue, Applicant: Renewed Living Prayer Ministry, Inc.

Attorney Michael McVerry, 35 Porter Avenue, Naugatuck, explained to the commission that the store front at 195 Rubber Avenue, which is 650 square feet, was formerly a gun shop. He further explained that his applicant is planning on changing the store front into a church, which requires a special permit to be submitted in the Rubber Avenue Design District. A question came up regarding parking. According to our regulations, they can use a parking lot within 500 feet of the building. There is a municipal lot across the street that they will use.

**VOTED:** Unanimously on a motion by Neil Mascola and seconded by Wendyann Fowler to accept the application, refer to the planning commission and set the public hearing for 195 Rubber Avenue, Applicant: Renewed Living Prayer Ministry, Inc. The public hearing is set for May 18, 2016 at 6:15 P.M.

Neil Mascola left the meeting.

**B.** Commission discussion/decision regarding site plan application for patio with fence in rear of building at 64-66 Church Street, Applicant: Lemi, LLC.

Attorney Michael McVerry, 35 Porter Avenue, Naugatuck, explained his client's application to the commission. Lemi, LLC is planning on expanding to an outdoor patio in the rear of the building. The applicant is looking to enclose the approximately 53' X 16' patio with a 6 foot high fence. There will be no roof or pergola installed. He is also looking to place a bar in the back of the building with some tables. He has made an arrangement with an adjacent property owner to rent space in the back of their property for Lemi, LLC's dumpsters. Susan Goggin noted that the plans were submitted to the Fire Marshall, she does not have a review yet but he will be submitting something noting he is fine with everything and the applicant has complied with all of their requests. Attorney McVerry showed, on the client's site plan, where the emergency gate will be. This will not be used to enter and exit. You will only be able to get to the patio through the restaurant. John Migliore for Lemi, LLC showed the commission on the map where his dumpsters will be located. He will pour a concrete slab and will fence the area to hide the dumpsters so they will not be seen from the street. Attorney McVerry entered into the record a letter from an adjoining property owner from 84 Church Street with the conditions of the area of the dumpster rental.

**VOTED:** Unanimously on a motion by Richard Cool and seconded by April Slauson to **APPROVE** the site plan application for patio with fence in rear of building at 64-66 Church Street, Applicant: Lemi, LLC

Meeting recessed at 6:34 P.M.

Meeting reconvened at 6:36 P.M.

Neil Mascola reentered the meeting.

**C.** Commission discussion/decision regarding site plan application for proposed storage building at 25 Great Hill Road, Applicant: Ruth Realty, LLC

Susan Goggin told the commission that the applicant could not make the meeting tonight. She also suggested that their engineer be present, but he was on vacation this week. Susan and the applicant have been emailing back and forth regarding her concerns. No renderings have been submitted. William Stopper read Susan Goggin's review dated April 19, 2016 into the record. The applicant has addressed some of the issues in Susan's review. Susan went over her concerns that were addressed.

**VOTED:** Unanimously on a motion by Rick Cool and seconded by April Slauson to accept the site plan application for proposed storage building at 25 Great Hill Road, Applicant: Ruth Realty, LLC and continue to the May 18, 2016 meeting.

**D.** Additional items require a 2/3 vote of the Commission.

- 1) **VOTED:** Unanimously on a motion by Neil Mascola and seconded by Rick Cool to add the Historical Society sign issue to the agenda.

Susan Goggin explained that the regulations state that no sign attached to a building shall project or hang more than 20 inches from any building except with Zoning Commission approval. Wendy Murphy with the Naugatuck Historical Society submitted pictures of the sign the Historical Society would like to install. She explained that the sign will hang out 37 inches perpendicular to the brick wall. It will be a small oval, classical style. It is similar to other signs already on the street. She further explained that this is a temporary location for the Historical Society until approximately 2018. They will take the sign with them to their new location, the Tuttle Building, when they move. They have held several fundraisers and no one can find them on the street.

**VOTED:** Unanimously on a motion by April Slauson and seconded by Neil Mascola approve the sign the Naugatuck Historical Society is proposing in front of store front on 171 Church Street.

- 2) **VOTED:** Unanimously on a motion by Neil Mascola and seconded by Rick Cool to add to the agenda a proposal to develop the Prospect St. School.
- 3) **VOTED:** Unanimously on a motion by April Slauson and seconded by Neil Mascola to add to the agenda to change the zone at Prospect Street School Property from RA-1 to B-2.

Attorney Kevin McSherry for 100 Prospect Street handed out an application to the commissioners for a zone change from RA-1 to B-2 zone for 100 Prospect Street. The applicant is Florian Properties. This proposal is in line with Mayor Hess's plan for the Transit-Oriented Development (TOD). They have done a lot of work in Southington converting old schools. Attorney McVerry gave a brief description of the proposed project.

**VOTED:** Unanimously on a motion by April Slauson and seconded by Neil Mascola to accept the application from Florian Properties, to develop Prospect Street School, refer to the planning commission and set the public hearing.

William Stopper set the public hearing for May 18, 2016 at 6:30 p.m.

**VOTED:** Unanimously on a motion by April Slauson and seconded by Neil Mascola to accept the application for a zone change from Florian Properties, to change from RA-1 to B-2, refer to the planning commission and set the public hearing.

William Stopper set the public hearing for May 18, 2016 at 6:45 p.m.

6. Chairman Report  
There was none.

7. ZEO Report  
There was none.

8. Public Comment  
There was none.

9. Adjournment

**VOTED:** Unanimously on a motion by Richard Cook and seconded by April Slauson to adjourn the meeting at 8:29 P.M.

RESPECTFULLY SUBMITTED:

April Slauson, Secretary/lr